

A motion to reconsider was laid on the table.

**REPORT ON RESOLUTION AMENDING RULES OF THE HOUSE TO REPEAL EXCEPTION TO REQUIREMENT THAT PUBLIC COMMITTEE PROCEEDINGS BE OPEN TO ALL MEDIA**

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-382) on the resolution (H. Res. 301) amending the Rules of the House of Representatives to repeal the exception to the requirement that public committee proceedings be open to all media, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS**

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-383) on the resolution (H. Res. 305) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS**

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-384) on the resolution (H. Res. 306) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF NOVEMBER 7, 1997**

Ms. FURSE. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 307) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. KINGSTON]. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the House Oversight Committee is now pursuing a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, as a member of Congress whose election in 1994 was won by far smaller a majority than that which Ms. Sanchez won the 46th District race in 1996.

Whereas, as an immigrant myself who proudly became a U.S. citizen in 1972, I believe that this Republican campaign of intimidation sends a message to new citizens that their voting privilege may be subverted. We should encourage new voters not chill their enthusiasm.

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of November 7, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

Pursuant to the rule, the gentleman from Oregon [Ms. FURSE] will be recognized for 30 minutes and the gentleman from California [Mr. THOMAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1996, Congresswoman LORETTA SANCHEZ was elected by the people of the 46th Congressional District of California. There was a recount. The California Secretary of State confirmed that Congresswoman SANCHEZ had won that election. Yet for over 10 months, the Republican leaders have used every tactic to deny Congresswoman SANCHEZ that victory.

Mr. Speaker, this is a Nation of immigrants. This is a Nation of people who came to the shores to participate. This is a Nation of immigrants eager to participate, eager to give their voice to this great democracy. Mr. Speaker, I understand this because I, too, was an immigrant. I came to this country in 1972. I was proud to become a citizen and proud to cast a vote in an election.

Then in 1992, I became a Member of Congress. That is the way it is supposed to work, Mr. Speaker, in this great democracy.

It is a disgrace that new voters, new citizens are being questioned in this campaign against Congresswoman SANCHEZ. Let us not forget, this is a campaign not just against Congresswoman SANCHEZ, this is a campaign against new immigrants. This is a campaign against new citizens. It is a disgrace.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the second time we come together on the floor to provide an opportunity to respond to resolutions which, frankly, contain erroneous material, inflammatory material, material that simply ought not to be presented on the floor of the House, in this gentleman's judgment, in the way in which it is presented.

I am quite pleased to announce to Members some developments that have occurred since the last time we were on the floor. If Members recall, I reported to them that in the months that they have outlined it has taken us to attempt to get to the bottom of this, I indicated to them that not one Democrat staffer had signed a statement of confidentiality. They had chosen not to participate in a meaningful way in documents that we wanted to make sure did not get out so that the charge that they make falsely, that we were attempting to intimidate individuals, did not get, quote-unquote, leaked.

I am pleased to say that all of the key Democrat staffers, members of the Democratic staff, have now signed statements of confidentiality. That is a major step forward. I wish they had done it 9 to 10 months ago so we could share the information that we know. I will tell Members tonight, they are going to receive some of that information.

But I think for just a minute or two, we need to understand how we got here. There were phone calls to the Orange County Registrar of Voters. People said they knew that people who voted were not citizens. There was a follow-up examination by the election authorities. There was sufficient and credible evidence filed with the Orange County District Attorney for the Orange County District Attorney to subpoena records of groups who were supposed to be educating documented aliens in the process to become citizens, the very process that the gentleman from Oregon indicated occurred to her. Of course, we know what happened in her case. She did it in the right order. She became a citizen, and then she voted.

The record shows that there were people in the 46th Congressional District who voted before they became citizens. There were many people who did this on the advice of people who, frankly, chose to mislead these people

when they had the solemn responsibility of providing them with the enormous and wonderful opportunity of becoming citizens.

I will make one promise to Members tonight, that if anyone is discovered to have not voted properly, in no way should their citizenship be put in jeopardy if after the fact they became a citizen. I believe that we should make sure that amnesty is provided to anyone who may have technically broken the law, and especially if they broke the law at the behest of others, because right now there is an ongoing criminal investigation in Orange County that will work its way through the grand jury and may, in fact, present us with evidence before we are finished with our task as to exactly what happened for those who engaged in a criminal conspiracy of voter fraud.

Based upon that evidence, a contested election contest was brought to us, and we have pursued, although argued unconstitutionally, affirmed by a district court, reaffirmed by an appellate court, that the process that we have been following is, in fact, according to the statute. It seems, therefore, somewhat incredible to me that one of the whereas is that we have requested the agency charged with monitoring documented aliens in this country, the Immigration and Naturalization Service, to assist us to determine if these individuals are, in fact, citizens. But, in fact, as Members may know from our previous discussion, the Department of Justice was unwilling to cooperate in the investigation. We were forced, on May 14, to subpoena the records. It was not until June 23 that the Immigration and Naturalization Service began responding to us.

Notwithstanding the whereas that says that the INS has complied with the committee's request, the gentlewoman from Oregon needs to know that that whereas is simply wrong. The INS has not complied completely. There are hundreds of records that are still out that have not been presented to the task force.

As we go through once again in terms of the whereas, the one that I hope we will put to rest tonight, and the gentleman from Michigan, the chairman of the task force, I believe, will provide more than adequate material to discredit once and for all, our goal, of course, would be to enlighten and to therefore not continue the process of repetition on the whereas that says that we failed to present credible evidence. Tonight Members will receive a substantial dose of credible evidence.

But more important than that, I find it difficult for someone who was a citizen, whether naturalized or native born, to think that the effort to make sure that we are accurate, double-check, triple-check if necessary that no citizen is accused unfairly and that the documents of the task force checked by the appropriate officials, Immigration and Naturalization Service on citizenship and the Secretary of

State on a valid voter registration, would not be completely accurate before we would make any assumption, any determination, any statement about a final number of people who, in fact, voted invalidly in the California 46th. Because I will remind all of us, it is not if there were people who voted illegally, it is the question of how many, and that the pursuit of how many has been made a difficult one by virtue of agencies of this government unwilling to cooperate unless their records are subpoenaed.

And for a number of people to use such terms as "a Republican campaign of intimidation" when, unlike the former majority, we are trying to use California law to document, not something invented in the task force by a 2 to 1 vote, we are trying to determine with absolute accuracy who could and who could not have legally voted, and who did and who did not.

Frankly, I am perplexed by your unwillingness either as a native-born citizen or a naturalized citizen to not want to know. I think it is important that if, in fact, there is a significant amount of people who are not citizens who are actually voting, we need to know now. We do not need to shut this investigation down. We do not need to pull the wool over the eyes of voters who now will not know whether their vote was canceled out by someone who should not have voted. Frankly, our goal should be the one stated by the gentlewoman from Oregon: Become a citizen first, and vote second, not the other way around.

Mr. Speaker, I reserve the balance of my time.

Ms. FURSE. Mr. Speaker, I yield 8½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I thank her for her time.

I ask those on both sides of the aisle to listen to what I have to say and recall that I said that I did not believe that this matter was being handled fairly. Let me read to Members a letter dated October 22, sent to the Clerk of the House, which to this very hour the minority has not yet received, but Members will find it interesting. That letter is on the stationery of Hart, King and Coldren, a professional law corporation. They represent Mr. Dornan. Mr. Dornan, under the Federal Contested Election Act, is the contestant in this case. We have lost sight of the fact that the act requires the contestant to carry the case, not the committee.

In any event, Mr. Speaker, this is a three-page letter in which it sets forth 14 items that have been forwarded to the committee. The minority has not yet received it. They are depositions that should have been forwarded to the committee months ago by the Dornan counsel. Custodian of records, Fidelity Federal, dated 3/24/97, 3/25/97, 3/27/97, 3/31, 4/14, 5/28. These are not newly acquired records by the Dornan case.

□ 2145

My colleagues, listen to this paragraph, listen to it well. This is from the contestant under the Federal Contested Election Act. By copy of this letter to the contestee's counsel, we are advising the contestee that we consider contestant's record to be complete so that she may file her brief within the time permitted by the act. Even Mr. Dornan believes this case, from an evidentiary standpoint, is now at an end. Even Mr. Dornan's counsel says this case is at an end from his perspective.

The chairman of the committee said in debate last week, or 2 weeks ago, last week I believe it was, and has reiterated today on the floor of the House, that if we would only sign a confidentiality agreement, we could get the material. He reiterated that just now.

My colleagues, no one on the majority side of the aisle, save only an affidavit of confidentiality with respect to a particular deposition, no one on the majority side signed a confidentiality agreement until October 27, 1997. Notwithstanding that, we were refused access to information because we had not signed a similar confidentiality agreement. That is the unfairness in this case.

And I ask my friend from California in particular, if he will listen, because I respect his judgment and his fairness, as I do others on this side of the aisle.

So Mr. Dornan has said, I am through, finished, it is time for Ms. SANCHEZ to file a reply brief. Mr. Dornan has not filed, interestingly enough, his own brief required under the Federal Contested Election Act. My supposition is that he believes a brief is not required by him. My further supposition is because he believes that committee is now carrying the case.

I want to bring to the attention as well, because the chairman is very concerned about accurate information, that the chairman indicated that there have been many cases that have gone on longer than this. My colleagues, no case, and there have been 28 of them, in the history of the Federal Contested Election Act, has gone longer than this one if we do not resolve it before we adjourn in committee.

There have, in fact, been cases which have been carried over and disposed of on the floor. In fact, the Rose case was held for almost a year between the time under the 104th Congress when the committee disposed of the case and when the committee brought it to the floor for final disposition, which was, of course, at that point in time non-controversial. No case in the history of the Federal Contested Election Act has gone longer than this one if we do not dispose of it by the date we adjourn this first session of this Congress.

My colleagues, this case, according to Mr. Dornan, is ready to close, and I suggest to my colleagues that Mr. Dornan has not filed a brief because he knows that he has not done what is required under the statute, showed that

but for certain factors occurring, he would have been elected to Congress. That simply has not occurred, and having not occurred, the committee has not brought to this floor any request to take action to dispose of this case based upon Mr. Dornan's making that case.

Now, my colleagues, there is a question which the gentleman from California [Mr. THOMAS] raises. There is nobody on this floor who either sanctions or wants to hide the fact that voters may have voted without being citizens and may have voted illegally. That, in and of itself, is worthy of an investigation, but it is clearly a much broader investigation than the case that Mr. Dornan brought against the gentlewoman from California [Ms. SANCHEZ], the sitting Member of Congress from the 46th Congressional District.

So that, in fairness, I say it is time to end this case. Mr. Dornan, in his letter of October 22 through counsel, says he is through. But it is now Ms. SANCHEZ' chance to reply, but she has very little to reply to because Mr. Dornan has not made his case.

I would ask the Members of this House, as they reflect upon this case, think of themselves. Each and every one of us could be in the same situation. Each and every one of us could have the opposite party being in control of the House and a contestant coming forward and saying, I have certain suspicions, certain allegations that I will file, but in 12 months, essentially from November of 1996 until November of 1997, I have not been able to make my case.

Think, if my colleagues were in that situation, if they would not expect their 434 colleagues to say under those circumstances it is time to end this case, it is time to dismiss the contestant's action because he has not, as required by the statute, made his case.

If our oath means something, to defend the Constitution, it clearly means that we should defend the right of each district to elect a Member and to have that election sustained unless it is shown, pursuant to law, that but for certain things happening, the election would have turned out differently.

I would hope that all of us would come to a conclusion and urge the committee to end this matter, to move on, to say to the voters in the 46th District there will be an election shortly, Mr. Dornan says he is going to run, that election will be contested. I believe the committee should and will continue its investigation into any wrongdoing. Clearly, the district attorney is doing that; clearly, the secretary of state is doing that; they are the appropriate authorities.

Let us bring this case to close and bring it to a close now.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I might consume.

I would tell my friend from Maryland [Mr. HOYER] that we can make a comparison between the time when his party controlled the House and when

our party controls the House now. The reality was, there was a gentleman who came to this body with a certificate of election. He was denied being seated. They counted the votes in his district under the rules created by the task force on a straight partisan vote, and he was denied his certificate of election. That is what happened under my colleague's majority.

Under our majority, the gentlewoman from California [Ms. SANCHEZ] had a certificate. She has been seated. She is a full Member of this body. She has a full staff. She has a full budget. She carries out her duties every day. Rick McIntyre would have loved to have an opportunity to be treated the same way.

And I will not yield. I will also say that I admire the gentleman's cleverness and his capability. He seems to think that it is important that members of the majority signed a confidentiality statement on October 27. We were working on our work product. We had full confidence we were not going to leak our own material. Leaking the names of people we were checking would have worked against our purposes of keeping things confidential. Once we agreed to a memorandum of understanding with the secretary of state when he said he was willing to sign it, our work product would no longer be protected by us alone. So as a gesture, we said, let us all sign a confidentiality statement.

And so the gentleman's remarkable observation that once the product went outside the committee's jurisdiction, we asked them to do no more than what we did, signing the confidentiality statement somehow became a remarkable point to the gentleman. I think it would be common business.

The gentleman also pointed out that this may be the longest contested election under the act. My colleagues might recall that the act was passed in 1969. Most of the cases were dismissed without ever looking at the question of fraud. This task force was presented with a criminal conspiracy case involving ongoing and clear evidence of fraud, and we are pursuing that based upon the election.

The gentleman says that the filing by Dornan's attorneys that they are through means that the whole case would be through. What happens in the courtroom when the case is presented and the jury then goes to deliberate and has every right to ask for additional information as they make the decision? The gentleman believes that we should have half a case and then stop it before the opinion is rendered.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. PRYCE], who also happens to be a judge.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise in opposition to the privileged resolution before us. Let me start by saying that there are few in this body who do not take pleasure

in the company and comity of the gentlewoman from California [Ms. SANCHEZ]. It is not pleasant to dwell on the misfortunes of this case, but this issue speaks directly to the integrity of this institution which we should all strive, and strive hard, to protect.

There is a constitutional responsibility of this House to judge the qualifications of its Members, and that of course includes judging the outcome of contested elections. While this task is not a pleasant one, it is one that requires serious attention and thoughtful deliberation as our decisions set important precedents about the legitimacy and integrity of the Federal elections and the laws which govern them and each and every one of us here in this body.

We will hear plenty of impassioned debate today that will be driven by politics and influenced by personalities, but this is not about personal attacks, and it is not about personalities, it is about obeying the law and fulfilling our constitutional responsibilities.

Are my colleagues who have repeatedly asked us to put this matter unresolved behind us really advocating turning a blind eye to voter fraud? Are they really suggesting that non-U.S. citizens should be allowed to vote in elections and in the same breath demanding campaign finance reform in the interests of honest elections?

Mr. Speaker, I respectfully suggest to my colleagues that we should spend our energy enforcing the laws we have at hand. The law of our land, the law we are bound constitutionally to obey and enforce, that is what this debate is about. Inflammatory rhetoric that evokes images of racism and discrimination, that is transparent. It does a disservice to this institution and to the American ideal of free and fair elections.

In the interests of protecting our Nation's great democracy, I urge my colleagues to fulfill their responsibility to protect the sanctity of American elections by demanding a thorough and honest investigation of this and all contested elections. Nothing less will bring credit to this House.

Mr. Speaker, I urge defeat of the resolution.

□ 2200

Ms. FURSE. Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise in support of the privileged resolution and urge the House to consider it favorably.

The investigation undertaken by the majority on the Committee on House Oversight has been long drawn out, and I think it is really long past due when it should be decided. It is exactly a year since LORETTA SANCHEZ won a tough, close election in California. It is now almost exactly 9 months since she was sworn in in this body, in this very Chamber, and it is a little more than a

year before she will face the voters of the 46th District of California again.

Mr. Speaker, the women are coming before this body tonight with these privileged resolutions to say, justice delayed is justice denied, and justice has been denied, but let me talk about how it has been delayed.

LORETTA SANCHEZ was elected to the office that she took the oath and was sworn in in this very body, and all she wanted to do was to serve her constituents, to use the talents that attracted her constituents to vote for her, and yet, since she has been here, she has been constantly having to face motions, legal motions, legal bills, legal questions and all she wants to do is serve her constituents.

But, Mr. Speaker, under the Constitution of the United States of America, this House of Representatives has the sole authority to be the judge of its own elections, and there is no credible evidence before us at this point to suggest that Ms. SANCHEZ does not win her election to this House, and that the House was incorrect in swearing her in on that day that we all were sworn in. Yet, now we find out that the House Committee on Oversight wants to send volumes of information back to California to the very Secretary of State that certified that this woman should be the Representative.

Today, Mr. Speaker, we went to see the Speaker of the House, the gentleman from Georgia [Mr. GINGRICH], and we talked to him about what we were about, what the women of this Congress are about, that we just wanted to have this woman, who has been under this huge problem for a year now, that she should be sworn in, and the Speaker spoke to us about problems in the law, in the Federal law. The Speaker spoke to us about problems in the State law, the law of California. The Speaker spoke to us, as he always does, with brilliance, and he was erudite and he did all this good conversation, but what we said to him is, it takes a long time to pass a law in this House, a long time to pass a law in California. All we are asking for is justice for this woman. Please, Mr. Speaker, let her go about her duties; pass the legislation necessary.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 9½ minutes to the gentleman from Michigan [Mr. EHLERS], chairman of the task force, to in part respond. Now that both sides have signed confidentiality statements, this information will probably be made available, and we would like to be the ones to make it available.

(Mr. EHLERS asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, will the chairman yield? I am not sure I understand.

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from Michigan controls the time.

POINT OF ORDER

Mr. HOYER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, I raise the point of order that under the rules of the committee, at the request of the committee, we have signed confidentiality agreements. I have not disclosed any information which I have received that was confidential information. The Chairman now says that confidential information is going to be disclosed because the agreements have been signed.

I am not sure I understand that, and whether from a parliamentary standpoint confidential information is appropriate to be disclosed on the floor of this House. We cannot have it both ways, Mr. Speaker.

The SPEAKER pro tempore. The Chair is not able to rule at this point if any information is available or not available as taken in executive session.

The gentleman from Michigan (Mr. EHLERS) is recognized for 9½ minutes.

Mr. EHLERS. Mr. Speaker, I do not plan to discuss confidential information which would be from the INS, such as names and issues such as that, but I do want to share with the body some numbers, numbers which the gentleman from Maryland is familiar with from the work of the task force since he has received most of this information. These are going to be very approximate numbers, but I felt it important to deal with that, and also to give a little bit of history of what the task force has done. I have given partial histories in past debates on this issue, and I will try to deal with some of the questions that have been raised since then.

First of all, it is important to recognize that the Committee on House Oversight and our task force did not choose which election to be involved in. That decision is made by the contestant who files the notice of contest, and that was Mr. Dornan in this case. Mr. Dornan, as has been observed, filed many charges as part of his notice of contest. We have investigated that. We found that many of them did not have a strong basis and were not factors in the election, and so we have put those aside.

The largest issue that did emerge, however, is a question of fraudulent votes by noncitizens, and that deserved greater study.

Now, the problem developed with that, which I will get to in just a moment, that midway in the investigation as Mr. Dornan and the California Secretary of State were pursuing that, suddenly their source of information in the INS was shut off, and that has created a good deal of the delay that we are discussing tonight. Furthermore, as everyone knows from previous discussions, a number of the subpoenas were not responded to.

Now, I have, just for graphic purposes, and I apologize for the poor quality of this, I am an X professor and I am used to working with materials at hand and not hiring people to prepare fancy displays suitable for this audience, but several numbers to remem-

ber. The margin of the election. 984 votes is a certified margin, but the recount actually was a 979-vote margin. The Secretary of State does not in California change the certificate to reflect the recount total, but the actual margin of election was 979.

The Registrar of Elections of Orange County, conducting her own investigation of the election, discovered 124 fraudulent absentee ballots using the standard measures under California law for determining which absentee ballots are fraudulent, and also under California law subtracting them from the total.

The California Secretary of State received information from Hermadad, the organization that has been mentioned before, through the Orange County district attorney, indicating 1,163 individuals, and I am sorry I did not write that number down, 1,163 individuals who had gone through citizenship classes at Hermadad.

That is not necessarily the complete list, because the Orange County District Attorney was not specifically looking for that information, but that is the information they received when they went in and seized the records. There are other records they did not seize. We would like to see those records; they have ignored subpoenas up to this point, and we simply do not have the information.

From those 1,163, with the aid of the Los Angeles district office of the INS, 305 have been identified as noncitizen voters in Orange County, so add the 124 and the 305, those are rock-hard certain voters who are noncitizens.

At that point the Director of the INS in Los Angeles was told by his superiors in Washington to no longer cooperate. That was in late March, early April. We then asked the INS for assistance so that they would furnish the materials to the California Secretary of State. We were refused. We then had to subpoena the INS records, which we did, and there was all together approximately 3 months delay as a result of their decision to cut off the assistance they had been providing.

As the committee tried to develop a list of potential noncitizen voters, the initial list was approximately in the neighborhood of 6,000. That included a list from the INS, a computer match of the Orange County voters versus the records of the INS of individuals where they matched the first name, last name, date of birth.

This also includes a list from the Orange County Registrar of Voters and other officials there of individuals who had refused to accept jury duty because they checked off they were noncitizens, but yet they had voted. This also included individuals who had voted, but there were border crossing cards on record for them in which it was clear that they had been born in another country, and their citizenship could not be verified with the INS.

So this is the gross number, greater than 6,000. Out of that, we culled down

approximately 4,000 that looked very seriously as if they could be nonvoters—pardon me, noncitizens who had voted.

Now, much has been made in the resolutions that have been presented here over and over about this delay and no credible evidence. This is credible evidence. Why the delay? Because we have been going through very, very carefully, and what we have to verify is that indeed, the individuals in the INS records and the individuals in the Orange County records are, in fact, one and the same, and so that has allowed us to narrow down the list.

Something else we had to verify. Are the INS records accurate? When they indicate that someone is a citizen or a noncitizen, is there some verification for that? We have to depend on the INS, but we have had them go through and do a search of their records, and we keep searching and keep trying to find the most accurate record we can. The minority has also been helpful in this. They took another search approach, and the information that they came up with has been included.

So notice the number has been shrinking, greater than 6,000, then greater than 4,000, greater than 2,000, approximately 1,000 at this point. Actually, the number is larger, but I do not want to claim any larger number at this point, and we are still working on it, trying to finalize as closely as we can.

In addition, we recently asked the California Secretary of State for assistance, because we want independent verification of these numbers. Roll Call Newspaper erroneously said we were turning the issue over to the California Secretary of State. Not true. We are simply asking them to review what we have done and to verify that it is accurate.

I also want to make it clear that contrary to charges that have been made on the floor, and to which I take considerable offense, we have not targeted Hispanics or Latinos. We have never once asked for any records specifying that we want those with Hispanic or Latino names. We are not targeting women in this race. We are not including illegal immigrants, which we probably should do if we could get a handle on that, and the California Secretary of State is looking at that independently. But there is a whole group of individuals who are not included in this examination, that is the illegal immigrants, simply because the INS has no record of them. If they are illegal, they do not sign up with the INS.

The gentleman from Maryland [Mr. HOYER] has made a point that Mr. Dornan says he is finished. He has submitted his evidence. That is fine, but all of us know that when we go into a court of law, when we finish the case, it is not over. The jury has to deliberate, and we perform the function of the jury.

The point is simply we want to complete the analysis. We are not proceed-

ing with malice, we are not proceeding in an effort to be unfair; we are trying our very, very best to look at these numbers which are very, very substantial numbers and verify as precisely as we can what the actual numbers are, and then we will discuss them with the committee; we will discuss them with the House of Representatives, and a decision will be made as to the final result of the election. That is our responsibility as Members of the task force. Nothing more, nothing less.

There are many other issues that have emerged from this. Others have registered concerns about targeting and this sort of thing. We do not look at those issues; we are simply looking at the votes that were cast in trying to identify which votes were fraudulent.

Now, let me add one more point. The difference between this case and what makes it different from previous cases that the House has frequently dealt with is that the fraud in this case is different. In most previous Congresses when the Congress has dealt with fraud, it has been deliberate fraud, organized fraud, large blocks of votes. That is not true in this case.

I think this is not deliberate fraud, except perhaps on the part of Hermandad, we have to determine that later, but certainly not on the part of the individuals voting. I think they were misled. We are dealing with individuals who honestly thought they were doing the right thing. Nevertheless, if the votes are fraudulent, that must be dealt with.

I thank the Speaker for the time to present this, and I ask the indulgence of the House as we continue to wrap this up, I hope as soon as possible, and as accurately as possible.

□ 2215

Ms. FURSE. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut [Mr. GEJDENSON], a Member of the committee.

Mr. GEJDENSON. Mr. Speaker, I can frankly only remember one other similar instance, when a Senator from Wisconsin held up a list of 120 suspects in the State Department, and somehow they were disloyal to the United States; never got any names, we never found any agents in the State Department, but boy, he had numbers out there and he was waving them around.

What they have done here today is they cannot tell us the names because they are secret. Let me tell Members, the chairman of this committee has an obsession with secrecy. He tried to make the public minutes of a meeting secret at one of our first meetings, and astounded, frankly, all of my staff.

We have come here today once again back exactly where we started. They have never before used the INS to check for election results. Why? One, we have never had an Hispanic woman we were looking at. So when we are dealing with other ethnic groups of this country, we do not think of going to the INS.

What did the INS tell the chairman of the committee and the Congress when it was first asked for these numbers? And, by the way, these are not all the numbers they have. They started off with half a million suspects in a district where 100,000 people voted. The INS said, you cannot use our files to verify voters. But even if we look at their numbers down to that final thousand, from that we cannot tell whether that final thousand voted for SANCHEZ or Dornan. The law says we have to prove it would change the outcome.

I cannot give Members the names, either, but let me tell the Members, there is a Mrs. Jones here. It is a Spanish surname, instead of Jones. There are 18 of them in the INS records. Mrs. Jones exists 18 times in the INS records. Yes, there is one Mrs. Jones in the voting list that did vote. Now, Mrs. Jones might have voted wrong once, but she could not vote wrong 18 times, because there are not 18 times Mrs. Jones' name is on that list.

Let me tell the Members something. This may be about a lot of things. It could be a vendetta. We keep hearing about the Indiana case. I am happy to argue the Indiana case in a separate venue. But let me tell the Members, if it is the Indiana case that is going to drive the majority, we will make Bosnia look like a picnic. They take one, we will take one; next year we will challenge everybody, and we will get the INS in everywhere.

Mr. Speaker, when we get sensitive to the attack on the basis that we keep raising the Hispanic issue, excuse me? The record of their party makes the statement very clearly.

Mr. Speaker, I will close with this. In 1980 the Republican Party went to New Jersey, and it dressed people up in police officers' uniforms, and they used ballot security police to intimidate new citizens and poor people from voting. In the 1990s in California, the Republican Party paid a \$400,000 fine for the same kind of Gestapo tactics at the polls.

Now, once again, we have the gentleman from California [Ms. SANCHEZ]. We have a list of people here. We have numbers. That chart is about as graphic an example of the phony arguments on the other side as we can find. If they had a thousand names, they would bring them out here. What they are doing is dragging this lady through the mud. They are trying to break her financially. They are trying to break her spirit. But I have news for the Members, she is getting stronger.

The country is not going to put up with reviewing elections for longer than the term of office the individual is elected to. We are going a year after her election. She has won by more votes than the Speaker of this House won by when we were in control. Leave her alone. Let her do her job.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman for his crosscheck with the

INS. Apparently his request he believes to be more accurate than our request.

Where we found citizens, for example, Mrs. Jones was removed, where we found duplicates, they were removed; where we find a Jane A. Jones with a date of birth that matches, first name, last name, middle initial, date of birth, with the same address on the INS records as on the voted list, we are pushing it to that level and beyond for accuracy. Those are the numbers that the gentleman presented us.

It is my pleasure now to yield 4 minutes to the gentlewoman from Washington [Ms. DUNN], a State which has a procedure on their voting records, their Registrar of Records, which I wish the Nation would emulate.

Ms. DUNN. Mr. Speaker, I rise in opposition to the privileged resolution on the floor.

Mr. Speaker, I am lucky to be from a State that has so far experienced little or no voter fraud. Lord knows, if any fraud were to occur in any of our elections in Washington State, we would be very quick to staunch it and make sure we had a process in place never to allow it to happen again. That is, Mr. Speaker, why I have so many questions about the issue before us this evening.

Why would anyone want to end this election fraud investigation before the facts are in? Why have the Democrats resisted the establishment of precedents that will ensure that future contested elections will be investigated thoroughly and efficiently? Why have they challenged the constitutionality of the Federal Contested Elections Act? Why do they not want a process that allows the contestee and the contestant to get at the truth?

Why are they not eagerly supporting a process that allows State and local officials to verify the legitimacy of registrations? Mr. Speaker, why not find out exactly how many persons are illegally registered in the 46th District of California? Why would anyone want to leave a single illegal voter on the voting rolls of the State of California?

Mr. Speaker, during our last debate the gentleman from New Jersey [Mr. MENENDEZ] commented that this affects more than just the Federal election. He is exactly correct. That is what is so disturbing about the Democrats' position in this case. Fraudulent voters jeopardize the legitimacy of all the elections, up and down the ballot, all across California and many other States. We need to do something about that, and we need to start by completing this investigation.

Mr. Speaker, I want to recall the words of Democrat President Grover Cleveland, who, in his first inaugural address, stated "Your every voter as surely as your chief magistrate exercises a public trust." That is what this is about, public trust in our democratic process.

We have an honor system of voting in our Nation, and that honor has been desecrated by any person who casts an illegal ballot in this or any other elec-

tion. This is why we must complete this investigation. We must, in order to restore the honor of our system, determine the extent of the corruption.

Ms. FURSE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ].

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, the gentlewoman said she is lucky to be from a State that does not see voter fraud. I am unlucky to be from a State that has seen the Republican Party be part of voter suppression and intimidation that ended up in the Federal court decision that is still continuing in elections in New Jersey.

The gentlewoman from California [Ms. SANCHEZ] is unlucky to be from a State where the Republican Party paid \$600,000 to settle two voter intimidation lawsuits stemming from actions in 1988 and 1989 in which the Orange County Republican Party placed security guards and signs at the voting polls designed to scare Latino voters from voting. That is the fact.

So when the gentleman before mentioned about transparency, transparency is that the history on the records, in the Federal court, has condemned their party for what they have done to my people. That is the reality of that transparency.

I just listened to the gentleman from Michigan [Mr. EHLERS], who I have a personal respect for, but I listened to what he had to say. His facts and his figures, we have gone from 500,000 questionable voters to 1,000, in his final number there. What an incredible amount.

And when we look at it, he keeps referring to Orange County voters. He fails to mention that there are six congressional districts in Orange County. The gentlewoman from California [Ms. SANCHEZ] is not the only congressional district in Orange County. They all fail to mention all of the Republic candidates that won, and they do not question their elections at the same time in which they allegedly received these votes.

The fact of the matter is that for those Members who get upset about our concerns that what they are doing is clearly based on the question and to a large degree on ethnicity, I cannot wait for the names to be revealed. I want to say how many Thomases, how many Ehlers, how many Smiths are on that list.

I can guarantee Members that when we see the list, when it finally shows the light of day, everything that we have said there will be very clear. That is why their party has been sanctioned, that is why the Federal courts have made them pay money, and that is why they are pursuing this case in the manner in which they have. They have gone from a half a million to a thousand, and they cannot even prove that will overturn the election.

Yes, they have seated her, but they have bled her every day that she has

been here, and we as a community will not tolerate it.

Ms. FURSE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I have been wondering, what triggered the Republican Party to initiate this broad-scale investigation, spending thousands of dollars? I thought, is it their conservative nature? If so, they have contradicted that with spending thousands of dollars for this cause in which they have no ending. This is an unending cause.

And I thought, are they trying to protect the sanctity of the Republican Party? I have no answer to that one.

Is it their dogged determination to bestow some honor to a verbose candidate who lost in a district that he had been winning in for quite a long time, with some nontraditional voters going against him?

It was time for him. It was his time. When my time comes, I am going to take it like a woman. If I lose, I am going to take it like a woman. I am not coming to Members asking them to investigate somebody because CARRIE MEEK lost. I am strong. I do not have to come to them. They would make me to be some kind of icon, with all these kinds of verbose statements about me, making me so grand, like I am some Oracle at Delphi. That does not happen here. What happens here is we work hard. If we win, the people, if they want us there, they will send us back.

Members can contest these little votes if they want to, but I will tell the Members what image they are sending to this country. The image and the message they are sending is Hispanic, woman, ethnicity. I do not care how Members do it, how they cloak it in their numbers, that is the image that they are sending throughout this country. Think about it: Hispanic, woman, someone who cannot take a beating. That is the message they are sending.

I say to the Members, they had better clean this act up, because every woman in this country is watching them. I did not come here because I am a Democrat, I came up here because I think the gentlewoman from California, Ms. LORETTA SANCHEZ, has been given a short shrift. She has been given a short shrift, I do not care what party she is, even if she is in Ross Perot's party.

I am saying, clean this stuff up. Stop worrying about it and let this woman take her seat.

□ 2230

Ms. FURSE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan [Ms. STABENOW].

Ms. STABENOW. Mr. Speaker, on January 7 of this year, I was honored to enter this body as an incoming Member with over 70 new Members on both sides of the aisle, including the

gentlewoman from California [Ms. SANCHEZ]. A number of the incoming freshmen won by very small numbers of votes, many fewer votes than the number that LORETTA SANCHEZ won by. Yet after one year and almost a half a million dollars of taxpayers' money being spent on an investigation, we have nothing to show for it of any concrete evidence, just a lot of hyperbole at this point.

The question that I have for the other side of the aisle is that if, in fact, there are 1000 people who chose to vote who should not have voted in this election, they did not just vote for a Congresswoman or vote for the Congressman at that time. They voted for local officials. They voted for a State rep. They voted for a State Senator. They voted for local ballot initiatives.

Why is it that the only question, the only challenge, the only investigation is on the only Hispanic woman sitting here, Ms. SANCHEZ? What about those other seats? What about challenging those other kinds of races? We do not hear anything about that. We hear only about harassment of a woman who is serving her district well. It is time to stop it.

Ms. FURSE. Could the Chair inform us of the amount of time on each side?

The SPEAKER pro tempore [Mr. KINGSTON]. The gentlewoman from Oregon [Ms. FURSE] has 6 minutes remaining, and the gentleman from California [Mr. THOMAS] has 3½ minutes remaining.

Ms. FURSE. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. HEFNER].

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, earlier today I asked unanimous consent to address the House out of order for two minutes, and it was objected to by the chairman of the Committee on Rules.

Let me just say this, sitting here with some interest, you have 1000 votes here that are on a chart, and you are assuming that LORETTA SANCHEZ got every one of those votes, no names, 1000 votes. From 500,000, you have come to 1000 votes. Is that not remarkable? And there is nothing on that list, according to what you insinuate, there is nothing on that but Hispanic voters that voted illegally.

Listen, what we are doing here tonight and what you are doing here tonight, Mr. Speaker, is wrong.

Let me just say this to you, I was here when the Indiana situation came about. It might have been wrong. During the last campaign Republicans campaigned all over this country and they said, the Democrats have been in charge for 40 years and we are not going to run this House like the Democrats did. The chairman of the Committee on Rules stood in this well when he was in the minority and said, when we get to be in charge, we will not have closed rules and we will not run this House like the Democrats.

What you are doing here is wrong. You cannot defend it. It is absolutely wrong and we should be ashamed of this charade that is taking place in this House. This gentlewoman won fair and square. Every Member of this House received a certificate from the Secretary of State congratulating us for being elected to the people's House, the United States Congress. They sent everybody a certificate. They sent the gentlewoman from California [Ms. SANCHEZ] a certificate.

Now you have sent back to California, to this same guy that gave this certificate to Ms. SANCHEZ, it says, you have to check on this some more because we cannot find anything here. Our witch-hunt is over.

It is time to stop this because it is not right.

Mr. THOMAS. Mr. Speaker, I yield myself 15 seconds to assist the gentleman in his math. The 1000 number were those that achieve a very high level check through the INS. The chairman failed to mention the 124 that the registrar has already discovered, the 305 that the LA INS and the Secretary of State have certified and the more than 1000 that were currently going through with the INS. Frankly, the number is far beyond the statement I have heard repeated over and over again of a number which simply is not creditable.

Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, let me just say to my friend who just spoke, 60 percent of the votes that were counted that were registered by one organization had been found to be fraudulent by the Secretary of State. We have not got all the votes. There is not a single Member in this House who, if that happened to them and one of the organizations registering and voting people had 60 percent of their voters found to be fraudulent, would say, let us drop the investigation. Let us leave it.

Mr. Dornan is having just as tough a time with this delay and the gentlewoman from California [Ms. SANCHEZ] is. We want to have it over, but we owe it to the people to finish the investigation.

Ms. FURSE. Mr. Speaker, I yield 10 seconds to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, to my friend from California, I would only say this, there were other elections, there were other people that were on the same ticket as Mr. Dornan and Ms. SANCHEZ. And you are not questioning the validity of those votes that went to those people. They are not being contested. The numbers are all being taken from Ms. SANCHEZ' total votes.

Ms. FURSE. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I tell the gentlewoman from Washington State, nobody wants this investigation to go away or to end. In fact, the gentle-

woman from Washington may not know, there is a district attorney of Orange County investigating this case. That investigation is before the grand jury and ought to continue. The Secretary of State has a responsibility to ensure voter integrity on the rolls. He is continuing his investigation.

The judge from Ohio said this always happens. It never happens.

Mr. Dornan has said his case is over. He has rested in effect. The jury is never allowed to get additional evidence, never. What kind of law do you practice on that side where the jury can say, well, I know the two parties have rested but we are going to get additional evidence? It never happens, my friends, never. They can ask to review existing evidence; that is true. But they cannot go out and seek new evidence.

Mr. Dornan says this case is through. It is time for the parties to decide. The fact of the matter is, these figures put forth by the gentleman from Michigan [Mr. EHLERS], nobody knows. The gentleman from Michigan [Mr. EHLERS] put up some figures, 979, that is the most important figure. That is the majority by which LORETTA SANCHEZ was elected to this House.

He then gets down to other figures, 6000. That has less, I tell you, than 500 who possibly could be considered in the 46th district. I do not even know why that 6000 was on that board, because they are not involved in the 46th district, all of them, some are.

The fact of the matter is, however, as the gentleman from Connecticut pointed out, nobody knows or will know for whom those folks voted. We do know this: that over a third of those people are Republicans, about 15 percent are other independents, not affiliated. Only half are Democrats. It is time to end this case.

The SPEAKER pro tempore. The gentlewoman from Oregon [Ms. FURSE] has 1¾ minutes remaining, and the gentleman from California [Mr. THOMAS] has 2¾ minutes remaining.

The gentlewoman from Oregon [Ms. FURSE] has the right to close.

Mr. THOMAS. Mr. Speaker, I yield the balance of my time to the gentleman from Texas [Mr. ARMEY], majority leader, who happens to be part of the jury that constitutionally is the sole judge of its Members. When you have the constitutional power to judge, you have the right to get all the information.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARMEY] is recognized for 2¾ minutes.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding the time to me.

We have 22, I believe, filings of privileges of the House on this same subject. This, Mr. Speaker, is number one of those 22 that must be dealt with today under the rules of the House. Twenty-two today, I think some eight filed that would come due tomorrow, and another eight or so to do the other.



I am sure that represents, on behalf of an awful lot of Members doing all that filing, a statement.

But I have to tell my colleagues, I weary of it. I weary of the shouting. I weary of the accusing. I weary of the finger pointing. I weary of the feigning of moral outrage. I weary of the sophomoric strategy. I think the rest of the House shares that weariness. We have work we are trying to get done, work that is important to the American people.

While we are doing that, we have an obligation given to us by the Constitution of the United States. We are conducting an investigation about the legality of the votes cast in a congressional race in order to determine the legality of the seating of a Member of this House as given to us as a responsibility of the Constitution. We are not going to do a minimal job on that. We are not going to do a half-hearted job on that.

We are not going to give it a wink and a nod and bow to the pressures that are supposed to have been brought to us by somebody having made the allegation that really in fact has nothing to do with this body, has nothing to do with the Constitution, has nothing to do with the question of whether or not American elections will be confined to participation by American citizens, but it has to do with you Republicans who are racists, you Republicans who are sexists, et cetera.

What shallow malarkey. Rise above it. Let us get back to work. This job will be done in accordance with the responsibilities given to us by the Constitution of the United States, and it will be done thoroughly, professionally and completely, until it is the truth of the matter that is found. And no intimidation, no allegation, no screaming, no hollering, no accusation, no pointing of fingers is going to stop this Congress from doing its duty. That is what the Constitution was written about, people who are willing to do their duty.

That is what will be done.

Ms. FURSE. Mr. Speaker, I yield the balance of my time to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, we, too, are weary on this side of the aisle. End this witch-hunt. End the malarkey on your side of the aisle, and let this investigation conclude and let LORETTA SANCHEZ continue her fine work as representing the 46th District of California.

□ 2245

Democrats are sending a simple message tonight with these resolutions: It is enough, the investigation of allegations by Citizen Dornan, with subpoena power unprecedented in the history of the House of Representatives. The majority of these allegations have proven to be without merit. Fraudulent voters, who have turned out to be nuns and Marines and even some of his own

supporters. Enough of this waste of taxpayers' dollars. Eleven months, a half a million dollars, and we are still counting. Enough with the attempts by the Republican Party to intimidate Hispanic-American voters, an 8-year history in southern California of intimidating Latino voters at the polls.

No investigation like this has been targeted at Italian-Americans, Irish-Americans, or Jewish-Americans. There were other closer elections in 1996. They did not result in this kind of an investigation. It is interesting to note that the surnames of those Members are FOX and SMITH, and not SANCHEZ.

Today, Democrats are saying to the Republican leadership of this House, enough is enough. We can say it in Italian, and we can say it in Spanish and the word is the same, "basta," stop this intimidation. Stop this investigation of Hispanic-American voters in this country. Allow the democratic process to go forward.

The people of the 46th district elected the gentlewoman from California, Ms. LORETTA SANCHEZ. They said no to Bob Dornan. This House ought to have the courage to say no to Bob Dornan and end this investigation of the gentlewoman from California, Ms. LORETTA SANCHEZ.

MOTION TO TABLE OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore (Mr. KINGSTON). The Clerk will report the motion.

The Clerk read as follows

Mr. THOMAS moves to lay the resolution on the table.

The SPEAKER pro tempore (Mr. KINGSTON). The question is on the motion to table offered by the gentleman from California [Mr. THOMAS].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FURSE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 194, answered "present" 1, not voting 21, as follows:

[Roll No. 583]

AYES—217

Aderholt  
Archer  
Armey  
Bachus  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bilbray  
Bilirakis  
Bliley  
Blunt  
Boehkert  
Boehner  
Bonilla  
Brady

Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Coble  
Coburn  
Collins  
Combest  
Cook

Cooksey  
Crane  
Crapo  
Cunningham  
Davis (VA)  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Foley

Fossella  
Fox  
Franks (NJ)  
Frelinghuysen  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Goss  
Graham  
Granger  
Greenwood  
Gutknecht  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hobson  
Hoekstra  
Horn  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jenkins  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
King (NY)  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham

LaTourette  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
Livingston  
LoBiondo  
Lucas  
Manzullo  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Miller (FL)  
Moran (KS)  
Morella  
Myrick  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Nussle  
Oxley  
Packard  
Pappas  
Parker  
Paul  
Paxon  
Pease  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Rogan  
Rogers

NOES—194

Abercrombie  
Ackerman  
Allen  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Cardin  
Carson  
Clay  
Clayton  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell

Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Forbes  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Goode  
Gordon  
Green  
Gutierrez  
Hall (TX)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Hinojosa  
Holden  
Hooley  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)

Rohrabacher  
Ros-Lehtinen  
Roukema  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Tiahrt  
Trafigant  
Upton  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (FL)

Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McHale  
McIntyre  
McNulty  
Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Mollohan  
Moran (VA)  
Nadler  
Neal  
Oberstar  
Obey



Olver	Rush	Tauscher
Ortiz	Sabo	Taylor (MS)
Owens	Sanders	Thompson
Pallone	Sandlin	Thurman
Pascarell	Sawyer	Tierney
Pastor	Schumer	Torres
Payne	Scott	Towns
Pelosi	Serrano	Turner
Peterson (MN)	Sherman	Velazquez
Pickett	Sisisky	Vento
Pomeroy	Skaggs	Visclosky
Poshard	Slaughter	Waters
Price (NC)	Smith, Adam	Watt (NC)
Rahall	Snyder	Waxman
Rangel	Spratt	Wexler
Reyes	Stabenow	Weygand
Rivers	Stenholm	Wise
Rodriguez	Stokes	Woolsey
Roemer	Strickland	Wynn
Rothman	Stupak	
Roybal-Allard	Tanner	

## ANSWERED "PRESENT"—1

Sanchez

## NOT VOTING—21

Bono	Fowler	Scarborough
Clement	Gonzalez	Schiff
Cox	Hall (OH)	Skelton
Cubin	McKinney	Smith (OR)
Fawell	Moakley	Stark
Flake	Murtha	Yates
Foglietta	Riley	Young (AK)

□ 2305

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# REQUEST TO REDUCE TIME FOR ELECTRONIC VOTING ON RESOLUTIONS OFFERED AS QUESTION OF PRIVILEGES OF THE HOUSE ON TODAY

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that any remaining resolutions offered today as a question of the privileges of the House be considered as read and that the minimum time for electronic voting on any question arising with respect to consideration of such a resolution may be reduced to 2 minutes.

The SPEAKER pro tempore (Mr. KINGSTON). Is there objection to the request of the gentleman from Texas?

Mr. MENENDEZ. Mr. Speaker, reserving the right to object, is that my understanding that, therefore, there would be no debate on the individual privileged resolution that a Member who has submitted them in a timely fashion would have an opportunity to have a debate based on the unanimous-consent request?

The SPEAKER pro tempore. If a motion to table is offered before debate begins, that would be correct, and the resolution would not be debatable.

Mr. MENENDEZ. Mr. Speaker, continuing my reservation, my understanding of the unanimous-consent request is that they be voted and that there be a dispensation of the reading. The question is whether or not there would be an opportunity to debate what an individual Member has presented in their privileged resolution.

The SPEAKER pro tempore. It would depend on whether a motion to table were offered at the outset.

Mr. MENENDEZ. Mr. Speaker, further reserving my right to object, can

the parliamentarian through the Speaker tell me whether privileged resolutions, whether individuals have been denied the right to speak on a privileged resolution that they have offered before the House in previous Congresses?

The SPEAKER pro tempore. The Chair cannot respond to place events in historical context.

Mr. MENENDEZ. Mr. Speaker, based upon the fact that it certainly seems like a gag rule, and as far as I know it is unprecedented to go ahead and stop a Member from pursuing a privileged resolution, I would have to object to the request.

The SPEAKER pro tempore. Objection is heard.

## ADJOURNMENT

Mr. ARMEY. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

### RECORDED VOTE

Mr. MENENDEZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 192, not voting 25, as follows:

[Roll No 584]

AYES—216

Aderholt	Doolittle	Jones
Archer	Dreier	Kasich
Armey	Duncan	Kelly
Bachus	Dunn	Kim
Baker	Ehlers	King (NY)
Ballenger	Ehrlich	Kingston
Barr	Emerson	Klug
Barrett (NE)	English	Knollenberg
Bartlett	Ensign	Kolbe
Barton	Everett	LaHood
Bass	Ewing	Largent
Bateman	Foley	Latham
Bereuter	Fossella	LaTourette
Bilbray	Fox	Lazio
Bilirakis	Franks (NJ)	Leach
Bliley	Frelinghuysen	Lewis (CA)
Blunt	Gallely	Lewis (KY)
Boehlert	Ganske	Linder
Boehner	Gekas	Livingston
Bonilla	Gibbons	LoBiondo
Brady	Gilchrest	Lucas
Bryant	Gillmor	Manzullo
Bunning	Gilman	McCollum
Burr	Goodlatte	McCrery
Burton	Goodling	McDade
Buyer	Goss	McHugh
Callahan	Graham	McInnis
Calvert	Granger	McIntosh
Camp	Greenwood	McKeon
Campbell	Gutknecht	Metcalf
Canady	Hansen	Mica
Cannon	Hastert	Miller (FL)
Castle	Hastings (WA)	Moran (KS)
Chabot	Hayworth	Morella
Chambliss	Hefley	Myrick
Chenoweth	Herger	Nethercutt
Christensen	Hill	Neumann
Coble	Hilleary	Ney
Coburn	Hobson	Northup
Collins	Hoekstra	Nussle
Combest	Horn	Oxley
Conyers	Hostettler	Packard
Cook	Houghton	Pappas
Cooksey	Hulshof	Parker
Crane	Hunter	Paul
Crapo	Hutchinson	Paxon
Cunningham	Hyde	Pease
Davis (VA)	Inglis	Peterson (PA)
Deal	Istook	Petri
DeLay	Jenkins	Pickering
Diaz-Balart	Johnson (CT)	Pitts
Dickey	Johnson, Sam	Pombo

Porter	Sensenbrenner	Tauzin
Portman	Sessions	Taylor (NC)
Pryce (OH)	Shadegg	Thomas
Quinn	Shaw	Thornberry
Radanovich	Shays	Thune
Ramstad	Shimkus	Tiahrt
Redmond	Shuster	Traficant
Regula	Skeen	Upton
Riggs	Smith (MI)	Walsh
Rogan	Smith (NJ)	Wamp
Rogers	Smith (TX)	Watkins
Rohrabacher	Smith, Linda	Watts (OK)
Ros-Lehtinen	Snowbarger	Weldon (FL)
Roukema	Solomon	Weldon (PA)
Royce	Souder	Weller
Ryun	Spence	White
Salmon	Stearns	Whitfield
Sanford	Stump	Wicker
Saxton	Sununu	Wolf
Schaefer, Dan	Talent	Young (FL)

## NOES—192

Abercrombie	Gordon	Neal
Ackerman	Green	Oberstar
Allen	Gutierrez	Obey
Andrews	Hall (TX)	Olver
Baessler	Hamilton	Ortiz
Baldacci	Harman	Owens
Barcia	Hastings (FL)	Pallone
Barrett (WI)	Hefner	Pascarell
Becerra	Hilliard	Pastor
Bentsen	Hinchey	Payne
Berman	Hinojosa	Pelosi
Berry	Holden	Peterson (MN)
Bishop	Hooley	Pickett
Blagojevich	Hoyer	Pomeroy
Blumenauer	Jackson (IL)	Poshard
Boniior	Jackson-Lee	Price (NC)
Borski	(TX)	Rahall
Boswell	Jefferson	Rangel
Boucher	John	Reyes
Boyd	Johnson (WI)	Rivers
Brown (CA)	Johnson, E. B.	Rodriguez
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Kaptur	Rothman
Cardin	Kennedy (MA)	Roybal-Allard
Carson	Kennedy (RI)	Rush
Clay	Kennelly	Sabo
Clayton	Kildee	Sanders
Clyburn	Kilpatrick	Sandlin
Condit	Kind (WI)	Sawyer
Costello	Klecza	Schaffer, Bob
Coyne	Klink	Schumer
Cramer	Kucinich	Scott
Cummings	LaFalce	Serrano
Danner	Lampson	Sherman
Davis (FL)	Levin	Sisisky
Davis (IL)	Lewis (GA)	Skaggs
DeFazio	Lipinski	Skelton
DeGette	Lofgren	Slaughter
Delahunt	Lowey	Smith, Adam
DeLauro	Luther	Snyder
Dellums	Maloney (CT)	Spratt
Deutscher	Maloney (NY)	Stabenow
Dicks	Manton	Stenholm
Dingell	Markey	Strickland
Dixon	Martinez	Stupak
Doggett	Mascara	Tanner
Dooley	Matsui	Tauscher
Doyle	McCarthy (MO)	Taylor (MS)
Edwards	McCarthy (NY)	Thompson
Engel	McDermott	Thurman
Eshoo	McGovern	Tierney
Etheridge	McHale	Torres
Evans	McIntyre	Towns
Farr	McNulty	Turner
Fattah	Meehan	Velazquez
Fazio	Meek	Vento
Filner	Menendez	Visclosky
Forbes	Millender	Waters
Ford	McDonald	Watt (NC)
Frank (MA)	Miller (CA)	Wexler
Frost	Minge	Weygand
Furse	Mink	Wise
Gejdenson	Mollohan	Woolsey
Gephardt	Moran (VA)	Wynn
Goode	Nadler	

## NOT VOTING—25

Bono	Hall (OH)	Schiff
Clement	Lantos	Smith (OR)
Cox	McKinney	Stark
Cubin	Moakley	Stokes
Fawell	Murtha	Waxman
Flake	Norwood	Yates
Foglietta	Riley	Young (AK)
Fowler	Sanchez	
Gonzalez	Scarborough	